

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO. 3493 OF 2006

Office Notes, Office
Memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. M.S. Karnik for the petitioner.

CORAM : Dr. D.Y. CHANDRACHUD, J.
DATE : 30TH JUNE, 2006

P.C.

. The 1st respondent was in the service of the Management as a Peon since June 1993. It appears that the case of the Management is that he was absent from duty. The contention of the 1st respondent is that on 9th August, 1999 the Management had asked him not to report and to not resume duties without prior permission of the Management. This was followed by a letter dated 2nd

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September, 1999 written by the Head Master to the Secretary of the Management by which he requested that the 1st Respondent be allowed to resume duty. Admittedly, no enquiry was held. Merely preventing the 1st respondent from reporting for work was high handed and was unlawful.

. The petition is dismissed.

(DR. D.Y. CHANDRACHUD, J.)